



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/572,189	Kai Ostermann	13111-00033-US

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/EP04/10348

I.A. FILING DATE	PRIORITY DATE
09/15/2004	09/15/2003

23416  
 CONNOLLY BOVE LODGE & HUTZ, LLP  
 P O BOX 2207  
 WILMINGTON, DE 19899

CONFIRMATION NO. 6852

371 FORMALITIES LETTER



\*OC000000019441815\*

Date Mailed: 06/29/2006

### NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 was not received in full.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,189	PCT/EP04/10348	13111-00033-US

\* \* \* COMMUNICATION RESULT REPORT ( JUN. 5. 2006 1:47PM ) \* \* \*

FAX HEADER 1:  
FAX HEADER 2:TRANSMITTED/STORED : JUN. 5. 2006 1:45PM  
FILE MODE OPTION

ADDRESS

RESULT

PAGE

1699 MEMORY TX

USPTO

OK

6/6

REASON FOR ERROR  
E-1) HANG UP OR LINE FAIL  
E-3) NO ANSWERE-2) BUSY  
E-4) NO FACSIMILE CONNECTION**FAX TRANSMISSION**

DATE: June 5, 2006

PTO IDENTIFIER: Application Number 10/572189  
Patent Number

Inventor: Kal Ostermann et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP  
Hui-Ju Wu

PHONE: (302) 658-9141

Attorney Dkt. #: 13111-00033-US

PAGES (Including Cover Sheet): 6

CONTENTS: Certificate of Transmission (1 page)  
Combined Declaration and Power of Attorney (3)  
Fee Transmittal (1 page)  
Charge \$130.00 to deposit account 03-2775

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (302) 658-9141 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

**CONNOLLY BOVE LODGE & HUTZ LLP**  
1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899  
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

Application No. (if known): 10/572189

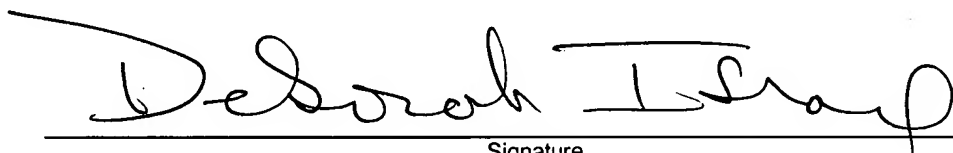
Attorney Docket No.: 13111-00033-US

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on August 2, 2006  
Date



Signature

Deborah Israel

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notification to Comply with Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures and Amendment (3 pages)  
Statement to Support Filing and Submission in Accordance with 37 CFR 1.821 – 1.825 (2 pages)  
Sequence Listing (21 pages)  
Diskette containing Sequence Listing (1 diskette)  
Copy of Notification to Comply With Requirements for Patent Application Containing Nucleotide and/or Amino Acid Sequence Disclosures (10 pages)  
Copy of Transmittal Papers (Including a Fee Transmittal) in Submission of Oath/Declaration Dated June 5, 2006  
Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

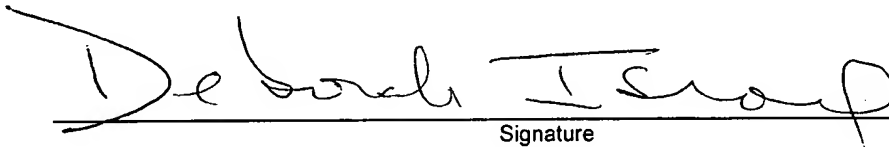
Application No. (if known): 10/572189

Attorney Docket No.: 13111-00033-US

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on June 5, 2006  
Date

  
Signature

Deborah Israel

Typed or printed name of person signing Certificate

Registration Number, if applicable

(302) 658-9141

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Combined Declaration and Power of Attorney (3)  
Fee Transmittal (1 page)  
Charge \$130.00 to deposit account 03-2775

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">For FY 2005</h3>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/572189
		Filing Date	March 15, 2006
		First Named Inventor	Kai Ostermann
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
<b>TOTAL AMOUNT OF PAYMENT</b> (\$)    130.00		Attorney Docket No.	13111-00033-US

<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: <u>03-2775</u> Deposit Account Name: <u>Connolly Bove Lodge &amp; Hutz LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Charge fee(s) indicated below, <b>except for the filing fee</b>	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Credit any overpayments	

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____
<b>2. EXCESS CLAIM FEES</b>							
						<b>Small Entity</b>	
<b>Fee Description</b>						<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
<b>Total Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	<b>Multiple Dependent Claims</b>		
<u>28</u>		<u>- 28 =</u>	<u>      </u> x <u>      </u> =	<u>      </u>	<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
<b>Indep. Claims</b>		<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
<u>2</u>		<u>- 3 =</u>	<u>      </u> x <u>      </u> =	<u>      </u>			
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>			<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>	
<u>      </u>	<u>      </u>	<u>      </u> /50 <u>      </u> (round up to a whole number) x			<u>      </u>	<u>      </u>	
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): <u>1051 Surcharge-Late oath or declaration</u>						<u>130.00</u>	

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	57,209
Name (Print/Type)	Hui-Ju Wu	Telephone	(302) 658-9141
		Date	<u>6/5/2006</u>